

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 4, 2006 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 15: Side B, #001 to #EOT

TAPE No. 16: Side A, #001 to #560

PRESENT: Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

SCHEDULED ITEMS:

1. 06-192 From County Executive, submitting a summary explanation of the Local Emergency Planning Committee (LEPC) clarifying the questions that arose at the full board meeting on February 2, 2006. **(INFORMATIONAL, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15B-19)

APPEARANCES:

Fran Rudig, County Executive's Office

Carl Stenbol, Emergency Management Bureau

Ms. Rudig and Mr. Stenbol provided comments relative to the Local Emergency Planning Committee.

Mr. Stenbol also provided comments relative to Community Emergency Response Team (CERT) training.

Questions and comments ensued.

2. 05-543 From the County Executive, appointing the following individuals indefinitely to the Local Emergency Planning Committee: Richard Kante, Rod McWilliams, Jack Takerian and Marty Dierker. **12/15/05 and 3/9/06: Report referred back recommending confirmation of the aforementioned appointments; 4/4/06: The Committee on Parks, Energy and Environment considered the subject report and referred this matter to the Committee on Judiciary, Safety and General Services.** (Tape #15B-#130)

SCHEDULED ITEMS (CONTINUED):

APPEARANCES:

Fran Rudig, County Executive's Office
Carl Stenbol, Emergency Management Bureau

MOTION BY: (RICE) Temporary layover.

There being no objection, it was so ordered.

After items 3 and 4 were voted upon and approved, this item became moot.

3. 06-181 From the County Executive, appointing the following individuals indefinitely to the Local Emergency Planning Committee: Richard Kante, Rod McWilliams, and Marty Dierker. (Tape #15B-#149)

APPEARANCES:

Rod McWilliams, County Executive's Office
Rollin Bertran, Traffic Engineering, Department of Public Works

MOTION BY: (DE BRUIN) Approve items 3 and 4.

Mr. McWilliams and Mr. Bertrain provided comments as to their roles in the Local Emergency Planning Committee.

Questions and comments ensued.

Supervisor Broderick requested clarification of an indefinite appointment.

Ms. Rudig stated that, per the Corporation Counsel's Office, in absence of a statute that fixes the term of an appointment, the appointment is referred to as indefinite. In this particular case, the appointment would be for the term of the County Executive or until a subsequent County Executive appointed or replaced the appointment.

Vote on the motion to approve items 3 and 4.

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

4. 06-182 From the County Executive, appointing Rollin Bertran indefinitely to the Local Emergency Planning Committee.

SEE ACTION UNDER ITEM 3.

SCHEDULED ITEMS (CONTINUED):

5. 06-231 From the Sheriff, requesting authorization to enter into a contract with Key Power International to replace incident/offence reports, criminal warrants and civil process record management systems. **(Also to Committee on Finance and Audit)** (Tape #15B-#308)

APPEARANCES:

Inspector Kevin Carr, Sheriff's Department

Deputy Inspector Jerianne Feiten, Sheriff's Department

Inspector Carr reviewed the subject report. Deputy Inspector Feiten indicated that there is a DBE firm involved and Corporation Counsel is currently reviewing the contract.

Questions and comments ensued.

MOTION BY: (BRODERICK) Approve. (Vote 7-0)

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

6. 06-J-9 From Superintendent, House of Correction, reporting on the proposal from LaLonde Contracts, Inc. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15B-#403)

APPEARANCES:

Jan Brylow, Programs Manager, House of Correction

John Sullivan, Facilities Manager, House of Correction

Bill Domina, Corporation Counsel

Questions and comments ensued.

Supervisor De Bruin requested that House of Correction staff provide an arial map as to where the berms will be and where the fills will be located at the House of Correction.

Chairman Johnson requested that House of Correction staff report back to this committee with the Memorandum of Understanding (MOU) between the House of Correction and LaLonde Contractors, Inc. and a resolution for possible approval.

Supervisor Broderick suggested that it would be a prudent measure to include in the MOU, a provision for testing of incoming fill on a periodic basis by Environmental Services to assure that the incoming fill is clean.

The Committee took no action on this informational report.

SCHEDULED ITEMS (CONTINUED):

7. 06-J-10 From the Milwaukee County Task Force on Restorative Justice reporting on the status and activities of the Task Force. **(INFORMATIONAL ONLY, UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)** (Tape #15B-#656)

APPEARANCES:

David Lerman, Assistant District Attorney, Restorative Justice Coordinator,
Dr. Gloria Gilmer
Erin Casfy, Community Conferencing Program Manager
Phyllis Williams-Kirk
Stephen D. Moerschel

Mr. Lerman provided a summary of the information he distributed to Committee members (copies of which are attached to the original of these minutes) relative to the Milwaukee County Task Force on Restorative Justice and the actual programming of the District Attorney's Office.

Dr. Gilmer provided comments relative to the task force on Restorative Justice and the individuals she communicated with at Milwaukee County. She indicated that there seems to be a misalignment regarding the resolution that was originated from the Judiciary, Safety and General Services Committee and the implementation of the Restorative Justice task force. She indicated that she would like to see the task force continue.

A lengthy discussion ensued relative to the Restorative Justice Task Force, the Community Conferencing program and the intent of the resolution.

Chairman Johnson indicated that he would work with Dr. Gilmer and the District Attorney's office to ensure that the provisions of the resolution are met to further the aim of the Restorative Justice Task Force.

Ms. Casfy indicated that her position might change from full-time to part-time if additional funding does not become available.

Supervisor De Bruin requested that County Board Research staff review the resolution that originated from this Committee relative to the Restorative Justice Task Force.

Supervisor Broderick requested that staff provide all members of the Committee with a copy of the resolution relating to the Restorative Justice Task Force.

Mr. Moerschel introduced himself as a steward of the jail and indicated that he is looking forward to hearing more about the Restorative Justice Task Force.

SCHEDULED ITEMS (CONTINUED):

Ms. Williams-Kirk urged Committee members not to consider changing the resolution.

8. 06-68 From Director, Child Support Enforcement, requesting authorization to execute W2 contracts (Children First) for with Maximus and UMOS (United Migrant Opportunity Services, Inc.) for 2006.

SEE ACTION UNDER ITEM 9.

9. 06-76 From Director, Child Support Enforcement, requesting authorization to execute W2 contracts (for paralegals) with Maximus and UMOS (United Migrant Opportunity Services, Inc.) and YW Works for 2006. (Tape #16A-#442)

APPEARANCE:

John Hayes, Director, Child Support Enforcement Mr. Hayes reviewed the subject reports for items 8 and 9.

Committee members commended Mr. Hayes for his work.

MOTION BY: (CESARZ) Approve items 8 and 9 together.

Questions and comments ensued.

Vote on the motion to approve items 8 and 9 together: 7-0

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION

(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):

10. 06-161 From Amica Mutual Insurance Company, submitting a claim under their subrogation rights of their insured, Duncan Lichtenberger, for reimbursement of payment made for alleged damages sustained to his automobile when involved in

SCHEDULED ITEMS (CONTINUED):

an accident with a Milwaukee County Highway vehicle on December 3, 2005. **(Corporation Counsel recommends payment in the amount of \$1194.28 in full settlement of this claim.)** (Tape #16A-#496)

APPEARANCE:

Bob Andrews, Deputy Corporation Counsel

MOTION BY: (SCHMITT) Approve. (Vote: 7-0)

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

Supervisor DeBruin was not in the room at the time of the roll call for the vote, however she returned shortly thereafter and requested to be recorded as voting affirmatively on this item. There being no objection, it was so ordered.

11. 06-239 From Deputy Corporation Counsel, requesting to commence and prosecute a civil action to recover from Tony L. Kearney the pay and benefits received from Milwaukee County while suspended from duty. (Tape #16A-#527)

APPEARANCE:

Bill Domina, Corporation Counsel

MOTION BY: (RICE) Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to items 11 and 12. (Vote 7-0)

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

The Committee adjourned into closed session at approximately 10:40 a.m. and reconvened in open session at approximately 11:08 a.m. with the same Committee members present as before.

MOTION BY: (RICE) Authorize and direct Corporation Counsel to take such action as is reasonable and necessary, including commencing and prosecuting a civil action to recover from Tony L. Kearney the pay and benefits he received from Milwaukee County while he was suspended from duty. (Vote 7-0)

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

SCHEDULED ITEMS (CONTINUED):

12. 06-247 From Corporation Counsel, status report as to the potential claims from the demolition of the Courthouse Annex, with possible recommendation by Corporation Counsel for action. (Tape #16A-#548)

APPEARANCE:

Bill Domina, Corporation Counsel

MOTION BY: (SCHMITT) *Authorize Corporation Counsel to litigate with respective parties regarding the demolition of the Courthouse Annex and to retain outside counsel. (Vote 7-0)*

AYES: Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Inspector Kevin Carr, Sheriff's Office
Deputy Inspector Jerianne Feiten
Jan Brylow, Programs Manager, House of Correction
John Sullivan, Facilities Manager, House of Correction
John Hayes, Director, Child Support Enforcement

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:10 a.m.

Linda K. Durham

Linda K. Durham, Committee Clerk